

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 923 OF 2004**

Union of India ..Appellants

versus

Smita Uday Gavankar ..Respondent

Mr. A. N. Samant for the Appellants.

Mr. C. N. Jha for the Respondent.

CORAM : D. G. DESHPANDE, J.

DATE : 21ST SEPTEMBER, 2005

ORAL ORDER :

1. Heard Advocate for the Appellants and the Respondent. Both have no objection to take the matter for final hearing looking to the issue involved.

2. Appeal is filed by the Union of India against the judgment of the Railway Claims Tribunal, Mumbai, and the only contention that is raised is that the Railway Claims Tribunal has awarded to the claimant / respondent interest from the date of the application. According to Mr. Samant interest should be from the date of the order. This

proposition is not disputed by the Advocate for the Respondent. Therefore, Appeal is partly allowed and the order regarding interest shall be read as "interest from the date of the order of the Tribunal till the date of payment". No order as to costs. Appeal disposed of accordingly.

21.9.2005

(D.G. DESHPANDE, J.)